

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER TXTECH-0001WO/US (218601.7)
INTERNATIONAL APPLICATION NO. PCT/US03/28782	INTERNATIONAL FILING DATE 12 September 2003	U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/527,725
TITLE OF INVENTION INHIBITION OF METALLO-BETA-LACTAMASE		PRIORITY DATE CLAIMED 16 September 2002
APPLICANT(S) FOR DO/EO/US Robert W. Shaw and Sung-Kun Kim		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.		
2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.		
3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.		
4. <input type="checkbox"/> The US has been elected (Article 31).		
5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 		
6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 		
7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 		
8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).		
9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).		
10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).		
Items 11 to 20 below concern document(s) or information included:		
11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.		
12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.		
13. <input type="checkbox"/> A preliminary amendment.		
14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.		
15. <input type="checkbox"/> A substitute specification.		
16. <input type="checkbox"/> A power of attorney and/or change of address letter.		
17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.		
18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).		
19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).		
20. <input type="checkbox"/> Other items or information:		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/527,725		INTERNATIONAL APPLICATION NO. PCT/US03/28782		ATTORNEY'S DOCKET NUMBER TXTECH-0001WO/US (218601.7)	
The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21. <input type="checkbox"/> Basic national fee..... \$300				\$	
22. <input type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)..... \$100 All other situations..... \$200				\$	
23. <input type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared and provided to the Office..... \$400 All other situations..... \$500				\$	
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<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
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Total claims	- 20 =		x \$ 50	\$	
Independent claims	- 3 =		x \$200	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$	
TOTAL OF ABOVE CALCULATIONS =				\$	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					
SUBTOTAL =				\$	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	
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Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
TOTAL FEES ENCLOSED =				\$	
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<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-1752. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO: T. Ling Chwang Jackson Walker L.L.P. 2435 N. Central Expressway Suite 600 Richardson, Texas 75080</p> <div style="text-align: right;"> <p><u>T. Ling Chwang</u> SIGNATURE T. Ling Chwang NAME 33,590 REGISTRATION NUMBER</p> <p style="font-size: 1.2em;">26 May 2005</p> </div>					

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket Number: TXTECH-0001WO/US
In re the Application of: Robert W. Shaw, et al.
Serial No.: 10/527,725
Filed: September 16, 2002
Art Unit: unknown
Examiner: unknown
For: INHIBITION OF METALLO-BETA-LACTAMASE

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Herewith is Form PTO-1449 together with one copy of each document listed thereon.
Please note also any item(s) designated below:

 X The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office Action on the merits, which ever event occurs last 37 C.F.R. § 1.97(b).

 The fee set forth in 37 CFR 1.17(p) is enclosed may be charged to Deposit Account Number 50-1752.

 Each document listed on enclosed Form PTO-1449 was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this correspondence.

Respectfully submitted,

T. Ling Chwang

T. Ling Chwang
Reg. No. 33,590

Date: May 26, 2005
26 05 2005

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Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Application Number	10/527,725
				Filing Date	September 16, 2002
				First Named Inventor	Robert Shaw
				Group Art Unit	Unknown
				Examiner Name	Unknown
Sheet	1	of	5 Sheets	Attorney Docket Number	TXTECH-0001 WO US (218601.7)

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	1.	ALLAWI, H. T. and SantaLucia, J. Jr. (1997), "Thermodynamics and NMR of Internal G-T Mismatches in DNA", <i>Biochemistry</i> 36, 10581-10594.	
	2.	AMBLER, R. P., Daniel, M., Fleming, J., Hermoso, J. -M., Pang, C. and Waley, S. G. (1985), "The Amino Acid Sequence of the Zinc-Requiring β -Lactamase II from the bacterium <i>Bacillus cereus</i> ", <i>FEBS Lett.</i> 189, 207-211.	
	3.	BARTEL, D. P. and Szostak, J. W., (1993), "Isolation New Ribozymes from a Large Pool of Random Sequences", <i>Science</i> 261, 1411-1418.	
	4.	BICKNELL, R., Schaeffer, A., Waley, S. G. and Auld, D. S. (1986), "Changes in the Coordination Geometry of the Active-Site Metal During Catalysis of Benzylpenicillin Hydrolysis by <i>Bacillus cereus</i> β -Lactamase II", <i>Biochemistry</i> 25, 7208-7215.	
	5.	BOCK, L. C., Griffin, L. C., Latham, J. A., Vermass, E. H. and Toole, J. J. (1992), "Selection of Single-Stranded DNA Molecules that bind and Inhibit Human Thrombin", <i>Nature</i> 355, 564-566.	
	6.	CHEN, H. and Gold, L., (1994), "Selection of High-Affinity RNA Ligands to Reverse Transcriptase", <i>Biochemistry</i> 33, 8746-8756.	
	7.	CONCHA, N. O., Janson, C. A., Rowling, P., Pearson, S., Cheever, C. A., Clarke, B. P., Lewis, C., Galleni, M., Frere, J. M., Payne, D. J., Bateson, J. H. and Abdel-Meguid, S. S. (2000), "Crystal of the IMP-1 Metallo- β -Lactamase from <i>Pseudomonas aeruginosa</i> and its Complex with a Mercaptocarboxylate Inhibitor", <i>Biochemistry</i> 15, 4288-4298.	
	8.	CROMPTON, B., Jago, M., Crawford, K., Newton, G. G. F. and Abraham, E. P. (1962), "Behaviour of Some Derivatives of 7-Aminocephalosporanic Acid as Substrates, Inhibitors and Inducers of Penicillanases", <i>Biochem. J.</i> 83, 52-63.	
	9.	DAVIES, R. B. and Abraham, E. P. (1974), "Metal Cofactor Requirements of β -Lactamase II", <i>Biochem. J.</i> 143, 129-135.	

Examiner Signature	Date Considered
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* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet 2 of 5 Sheets

Complete if Known

Application Number	10/527,725
Filing Date	September 16, 2002
First Named Inventor	Robert Shaw
Group Art Unit	Unknown
Examiner Name	Unknown
Attorney Docket Number	TXTECH-0001 WO US (218601.7)

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	10	DAVIES, R. B. Abraham, E. P. and Melling, J. (1974), "Separation, Purification and Properties of β -Lactamase I and β -Lactamase II from <i>Bacillus cereus</i> 569/H/9", <i>Biochem. J.</i> 143 , 115-127.	
	11	DAVIES, R. B. Abraham, E. P. Melling, J. and Pollock, M. R. (1975), "Comparison of β -lactamase II from <i>Bacillus cereus</i> 569/H/9 with a β -Lactamase from <i>Bacillus cereus</i> 5/B/6", <i>Biochem. J.</i> 145 , 409-411.	
	12	FARMULOK, M. and Szostak, J. W. (1992), "In Vitro Selection of Specific Ligand Binding Nucleic Acids", <i>Angew. Chem. Int. Ed. Engl.</i> 31 , 979-988.	
	13	FELICI, A. and Amicosante, G. (1995), "Kinetic Analysis of Extension of Substrate Specificity with <i>Xanthomonas maltophilia</i> , <i>Aeromonas hydrophilia</i> and <i>Bacillus cereus</i> Metallo- β -Lactamases", <i>Antimicrob. Agents Chemother.</i> 39 , 192-199.	
	14	FELICI, A., Amicosante, G., Oratore, A., Strom, R., Ledent, P., Joris, B., Fanuel, L. and Frere, J. -M. (1993), "An Overview of the Kinetic Parameters of Class B β -Lactamases", <i>Biochem. J.</i> 291 , 151-155.	
	15	FELICI, A., Perilli, M., Franceschini, N., Rossolini, G. M., Galleni, M., Frere, J. -M., Oratore, A. and Amicosante, G. (1997), "Sensitivity of <i>Aeromonas hydrophilia</i> Carbapenemase to Δ^3 -Cephems", <i>Antimicrob. Agents Chemother.</i> 41 , 866-868.	
	16	HICKE, B. J. and Stephens, A. W. (2000), "Escort Aptamers", <i>J. Clin. Invest.</i> 106 , 923-928.	
	17	HILLIARD, N. P., (1995), Structure-Function Relationships in the Metallo- β -Lactamase of <i>Bacillus cereus</i> 5/B/6", Ph.D. thesis, Texas Tech University	

Examiner
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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet 3 of 5 Sheets

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First Named Inventor	Robert Shaw
Group Art Unit	Unknown
Examiner Name	Unknown
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	18	HUSSAIN, M., Pastor, F. I. J. and Lampen, J. O. (1987), "Cloning and Sequencing of the <i>blaZ</i> Gene Encoding β -Lactamase III, a Lipoprotein of <i>Bacillus cereus</i> 569/H", <i>J. Bacteriol.</i> 169 , 579-586.	
	19	JAEGER, J. A., Turner, D. H. and Zuker, M. (1989), "Improved Predictions of Secondary Structures for RNA", <i>Proc. Natl. Acad. Sci. USA</i> 86 , 7706-7710.	
	20	JAEGER, J. A., Turner, D. H. and Zuker, M. (1990), "Predicting Optimal and Suboptimal Secondary Structure for RNA", <i>In Methods in Enzymology</i> 183 , 281-306.	
	21	JELLINEK, D., Green, L. S., Bell, C. and Janjic, N. (1994), "Inhibition of Receptor Binding by High-Affinity RNA Ligands to Vascular Endothelial Growth Factor", <i>Biochemistry</i> 33 , 10450-10456.	
	22	KOGUT, M., Pollock, M. R. and Tridgell, E. J. (1956), "Purification of Penicillin-Induced Penicillinase of <i>Bacillus cereus</i> NRRL 569", <i>Biochem. J.</i> 62 , 391-401.	
	23	KUWABARA, S., Adams, E. P. and Abraham, E. P. (1970), "Composition of β -lactamase I and β -Lactamase II from <i>Bacillus cereus</i> 569/H", <i>Biochem. J.</i> 118 , 475-480.	
	24	KUWABARA, S. and Lloyd, P. H. (1971), "Protein and Carbohydrate Moieties of a Preparation of β -Lactamase II", <i>Biochem. J.</i> 124 , 215-220.	
	25	LEDENT, P., Raquet, X., Joris, B., Van Beeumen, J. and Frere, J. -M. (1993), "A Comparative Study of Class D Beta-Lactamases", <i>Biochem. J.</i> 292 , 555-562.	
	26	LIM, H. M., Pene, J. J. and Shaw, R. W. (1988), "Cloning, Nucleotide Sequence and Expression of the <i>Bacillus cereus</i> 5/B/6 β -Lactamase II Structural Gene" <i>J. Bacteriol.</i> 170 , 2873-2878.	
	27	MACAYA, R. F., Waldron, J. A., Beutel, B. A., Gao, H., Joeston, M. E., Yang, M., Patel, R., Bertelsen, A. H. and Cook, A. G. (1995), "Structural and Functional Characterization of Potent Antithrombotic Oligonucleotides Possessing Both Quadruplex and Duplex Motifs", <i>Biochemistry</i> 34 , 4478-4492.	

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Sheet 4 of 5 Sheets

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	28	MATAGNE, A., Ledent, P., Monnaie, D., Felici, A., Jamin, M., Raquet, X., Galleni, M., Klein, D., Francois, I. and Frere, J. M. (1995), "Kinetic Study of Interaction Between BRL 42715, β -Lactamases and D-Alanyl-D-Alanyl Peptidases", <i>Antimicrob. Agents Chemother</i> 39 , 227-231.	
	29	NEU, H. C. (1992), "The Crisis in Antibiotic Resistance", <i>Science</i> 257 , 1064-1073.	
	30	PAYNE, D. J. (1993), "Metallo- β -lactamases-A New Therapeutic Challenge", <i>J. Med. Microbiol.</i> 39 , 993-999.	
	31	RASMUSSEN, B. A., Yang, Y., Jacobs, N. and Bush, K. (1994), "Contribution of Enzymatic Properties, Cell Permeability and Enzyme Expression to Microbial Activities of Beta-lactams in Three <i>Bacteroides fragilis</i> Isolates that Harbor a Metallo- β -Lactamase gene", <i>Antimicrob. Agents Chemother.</i> 38 , 2116-2120.	
	32	ROBERTSON, D. L. and Joyce, G. F. (1990), "Selection <i>in vitro</i> of an RNA Enzyme that Specifically Cleaves Single-Stranded DNA", <i>Nature</i> 344 , 467-468.	
	33	RUCKMAN, J., Green, L. S., Beeson, J., Waugh, S., Gillette, W. L., Henninger, D. D., Claesson-Welsh, L. and Janjic, N. (1998), "2'-Fluoropyrimidine RNA-Based Aptamers to the 165-Amino Acid Form of Vascular Endothelial Growth Factor (VEGF ₁₆₅), <i>Journal of Biological Chemistry</i> 273 , 20556-20567.	
	34	SABATH, L. D. and Abarham, E. P. (1966), "Zinc as a Cofactor for Cephalosporinase from <i>Bacillus cereus</i> 569", <i>Biochem. J.</i> 98 , 11c-13c.	
	35	SUTTON, B. J., Artymiuk, P. J., Cordero-Borboa, A. E., Little, C., Philips, D. C. and Waley, S. G. (1987), "X-Ray Crystallographic Study of β -Lactamase II from <i>Bacillus cereus</i> at 0.35 nm Resolution", <i>Biochem. J.</i> 248 , 181-188.	

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Sheet 5 of 5 Sheets

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Application Number	10/527,725
Filing Date	September 16, 2002
First Named Inventor	Robert Shaw
Group Art Unit	Unknown
Examiner Name	Unknown
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OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	36	TASSET, D. M., Kubik, M. F. and Steiner, W. (1997), "Oligonucleotide Inhibitors of Human Thrombin that Bind Distinct Epitopes", <i>J. Mol. Biol.</i> 272 , 688-698.	
	37	THATCHER, D. R. (1975), "Partial Amino Acid Sequence of the Extracellular β -Lactamase I of <i>Bacillus cereus</i> 569/H", <i>Biochem. J.</i> 147 , 313-326.	
	38	TSIANG, M., Gibbs, C. S., Griffin, L. C., Dunn, K. E. and Leung, L. K. (1995), "Selection of a Suppressor mutation That Restores Affinity of an Oligonucleotide Inhibitor for Thrombin Using <i>in Vitro</i> Genetics", <i>J. Biol. Chem.</i> 270 , 19370-19376.	
	39	TUERK, C. and Gold, L. (1990), "Systematic Evolution of Ligands by Exponential Enrichment", <i>Science</i> 249 , 505-510.	
	40	TURNER, D. H., Sugimoto, N. and Freier, S. M. (1988), "RNA Structure Prediction", <i>Annu. Rev. Biophys. Biophys. Chem.</i> 17 , 167-192.	
	41	ZUBER, M., Patterson, T. A. and Court, D. L. (1987), "Analysis of <i>nutR</i> ", <i>Proc. Natl. Acad. Sci. USA</i> 84 , 4514-4518.	
	42	ZUKER, M. (1989), "On Finding All Suboptimal Foldings of an RNA Molecule" <i>Science</i> 244 , 48-52.	
	43	PITOUT JD, Sanders CC, Sanders WE Jr. Antimicrobial Resistance with Focus on Beta-lactam Resistance in Gram-Negative Bacilli. <i>Am J Med.</i> 1997 Jul;103(1):51-9.	

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